



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,411	10/24/2001	Patrick M. Cox	41698.1034	7733

7590 12/28/2004

Alex L. Yip  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

EXAMINER

HOOSAIN, ALLAN

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/037,411	Applicant(s) COX ET AL.	
	Examiner Allan Hoosain	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 57, 59, 60, 62-66, 68, 69, 72, 73, 75 and 76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 57, 59 and 60 is/are allowed.
- 6) ☒ Claim(s) 62-66, 68, 69, 72, 73, 75 and 76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 57,59-60 are allowed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 62-66,68-69,72-73,75-76 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Daudelin** (US 4,959,855).

As to Claims 68,72-73,75-76, with respect to Figures 1-5, **Daudelin** teaches a method of providing an information assistance service to a customer, comprising:

receiving signals in setting up a call from the customer through an inbound channel (Col. 5, lines 60-68);

based on the received signals, identifying a calling telephone number associated with a calling station from which the customer calls, the calling telephone number indicating a local calling area, an account which is associated with the calling telephone number being set up with the information assistance service, and which allows receipt of information assistance and one or more types of call to be made (Col. 6, lines 38-59);

Art Unit: 2645

eliciting an information assistance request from the customer (Col. 6, lines 1-17);

in response to the information assistance request, searching a database not personal to the customer for a listing (destination telephone number) (Col. 6, line 65 through Col. 7, line 7);

determining that a connection is to be made from the local calling area to a second calling area outside the local calling area, the second calling area being indicated by the destination telephone number (Col. 7, lines 1-14);

determining whether the customer is authorized to have the connection made, based on the types of call allowed by the account (Col. 7, lines 11-18);

allocating an outbound channel to establish a connection to the destination telephone number when it is determined that the customer is authorized to have the connection made (Col. 7, lines 20-31);

dialing the destination telephone number over the outbound channel (Col. 7, lines 58-59);  
and

connecting the inbound channel to the outbound channel (Col. 8, lines 54-61).

As to Claims 62, with respect to Figures 1-5, **Daudelin** teaches a method for managing a call from a caller to an information assistance service, the method comprising:

receiving signals associated with the call which contain a calling telephone number associated with a calling station, from which the call originates, an account which is associated with the calling telephone number being set up with the information assistance service, and which allows receipt of information assistance and one or more types of call to be made (Figures 1 and 2 and Col. 5, lines 38-42);

Art Unit: 2645

eliciting from the caller an information assistance request (Col. 6, lines 1-17);

in response to the information assistance request searching a database not personal to the caller for a destination telephone number (Col. 6, line 65 through Col. 7, line 5);

determining that a connection is to be made from a local calling area to a second calling area outside the local calling area based on a comparison of at least a portion of the calling telephone number with at least a portion of the destination number (Col. 7, lines 11-18);

determining whether the caller is authorized to have the connection made through the information assistance service based on the types of call allowed by the account (Col. 7, lines 11-18); and

connecting the calling station to the called station when it is determined that the caller is authorized to have the connection made (Col. 7, lines 20-32).

As to Claims 63,69, **Daudelin** teaches the method of claim 62 wherein the signals include an originating number automatic numbering identification (ANI) from which the calling telephone number is derived (Col. 5, lines 38-42).

As to Claims 64-65, **Daudelin** teaches the method of claim 62 wherein the portion of the calling telephone number indicates local calling area, 30, and the portion of the destination telephone number indicates the second calling area, 32, (Figure 1).

As to Claim 66, **Daudelin** teaches the method of claim 57 wherein the information assistance service is provided by an operator (Col. 6, lines 27-30).

Art Unit: 2645

***Response to Arguments***

4. Independent Claim 57 has been amended to recite clearly that the claimed local area is not derived from a telephone number. As indicated above, Claims 57,59-60 are indicated allowable. However, Independent claims 62,68 and 73 have not been so amended. Therefore, the rejections of these claims have been maintained in this instant office action.

Examiner respectfully invites Applicants to contact Examiner to further discuss possible amendments for removing the contradictions mentioned in the 8/26/04 Office Action and for overcoming the prior art of record.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

**Or:**

(703) 306-0377 (for customer service assistance)


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2645

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
**Allan Hoosain**  
**Primary Examiner**  
**12/17/04**